

Judge: Timothy W. Dore
Chapter: 13

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re:
JOAN RAIDER RAWLINGS ,

Debtor.

IN CHAPTER 13 PROCEEDING
No. 22-10025-TWD

TRUSTEE'S OBJECTION TO EX-
PARTE MOTION

Jason Wilson-Aguilar, Chapter 13 Trustee, in these proceedings, objects to the debtor's ex-parte motion to Shorten Time (ECF No. 47).

On July 8, 2022, the debtor filed a Motion to Shorten Time (ECF No. 47) requesting that her Motion to Approve Reverse Mortgage (ECF No. 46) be heard on the Court's Chapter 7 and 11 calendar on July 15, 2022. The Trustee objects to the debtor's motion as to the following issues:

Motions to shorten time are disfavored. Local Bankruptcy Rule 9013-1(d)(3). At least 21 days' notice is required for a motion of this type. Local Bankruptcy Rule 9013-1(d)(2)(F). While the debtor's received unsigned order (ECF No. 48) does not specify a date by which the debtor will serve her Motion to Approve Reverse Mortgage, presuming it is served by July 11, this would provide less than a week's notice of the debtor's motion. In any proceeding which is to be accorded finality, due process requires notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections. *Mullane v. Central Hanover Bank & Trust Co. et al.*, 339 U.S. 306, 314 (1950).

TRUSTEE'S OBJECTION TO EX-PARTE
MOTION - 1

Chapter 13 Trustee
600 University St. #1300
Seattle, WA 98101

Additionally, the debtor has proposed to set her motion on the Court's Chapter 7 and 11 calendar rather than the next available Chapter 13 calendar on July 20, 2022. There is no indication from the debtor's pleadings that she received permission from the Court to set the matter on a non-Chapter 13 calendar. While the debtor's counsel did send the Trustee an electronic message to notify the Trustee of her intent to file this motion, this email was sent late Friday July 8, 2022 and there had not been time for a substantive response to the message prior to the motion being filed.

Accordingly, the Trustee submits that the debtor's ex-parte motion should be denied.

Dated this 11th day of July, 2022

/s/ Kristin D. Bowen, WSBA #46688 for
JASON WILSON-AGUILAR
Chapter 13 Trustee